

UNITED STATES DISTRICT COURT

for the

Southern District of West Virginia

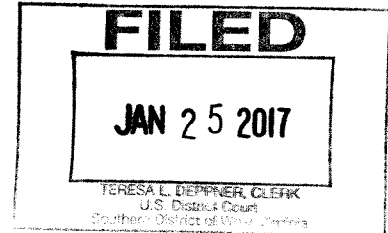
United States of America)

v.)

Case No. 2:17-MJ-00010)

Eric Jacob Riggs)

Defendant(s))



CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of July 20, 2015 in the county of Fayette in the
Southern District of West Virginia, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C § 876(c)

Mailing threatening communications

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.

Complainant's signature

Cedric Jefferson, Special Agent FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 01/25/2017

Judge's signature

City and state: Charleston, West Virginia

Dwane L. Tinsley, United States Magistrate Judge

Printed name and title

AFFIDAVIT

I, Cedric Jefferson, being first duly sworn, hereby depose and state as follows:

1. I have been employed as a Special Agent with the Federal Bureau of Investigation ("FBI") since January 2015, and am currently assigned to the Charleston, West Virginia, Resident Agency Office of the Pittsburgh Division. I am currently tasked with investigating violations of federal law within the Southern District of West Virginia and elsewhere. As part of my duties, I have received training regarding the investigation of various federal crimes including, but not limited to, child exploitation, complex financial crimes, and violent crimes. As a Special Agent, I am an investigative or law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7).

2. I hereby set forth the following specific and articulable facts showing that there is probable cause that a crime has been committed by Eric Jacob Riggs, an inmate in state custody, and that a warrant should be issued for his arrest.

3. The facts in this affidavit is based on my training and experience, as well as information obtained from other law enforcement agencies. This affidavit is not intended to set forth all of the information known to law enforcement about this investigation but rather it only provides that information sufficient to set forth probable cause for the issuance of the requested arrest warrant.

4. The FBI, along with other law enforcement agencies, is investigating a mailing of a threatening communication to David Nuffer, Chief United States District Court Judge, District of Utah.

5. On or about July 28, 2015, a Deputy Marshall of the United States Marshals Service received a letter postmarked July 20, 2015. The letter was from Eric J. Riggs and

addressed to “Judge D. Nuffer, United States District Court, 351 South West Temple, Rm 1100, Salt Lake City, Utah 84101”. In the letter, the writer stated “...I am soon to be free and Im coming to see you! The last thing you will see in this world is the barrel of a 12 gauge shotgun! And any one who wants to get involved can be killed too...This is your death certificate... you have been served...time is now clicking!” The letter which contained a threat addressed to a United States Judge was knowingly deposited to be delivered for the purpose of issuing a threat to injure the person of the addressee, in violation of 18 U.S.C. § 876(c).

6. Based on the facts set forth in this affidavit, there is probable cause to believe that the above-described violation of 18 U.S.C. § 876(c) was committed by Eric Jacob Riggs, as explained below.

7. The Mount Olive Correctional Complex is located at 1 Mountainside Way, Fayette County, Mount Olive, West Virginia, 25185, located in the Southern District of West Virginia.

8. The sender’s information on the envelope containing the letter sent to David Nuffer, Chief United States District Court Judge, District of Utah, was “Eric Riggs, 50164, Mount Olive Correctional Complex, One Mountainside Way, Mount Olive, West Virginia, 25185”. According to the United States postage stamp on the envelope, the letter was postmarked July 20, 2015 and mailed from zip code 25186. In addition, a stamp on the envelope read “Correspondence From an Inmate at Mount Olive Correctional Complex”.

9. According to an investigator at the Mount Olive Correctional Complex, Riggs arrived as an inmate on July 27, 2010 and at the time the letter was postmarked, his inmate number was 50164.

10. According to an employee at the Mount Olive Correctional Complex Post Office, the prison had an onsite post office with a designated zip code. Furthermore, inmates have the ability to send personal mail by placing it in an onsite mailbox or giving their mail to a correctional officer to place in an onsite mailbox on behalf of the inmate.

11. The writer begins the letter stating "My name is Eric Riggs..." and concludes the letter with a signature and three fingerprints: two in blood and one in ink.

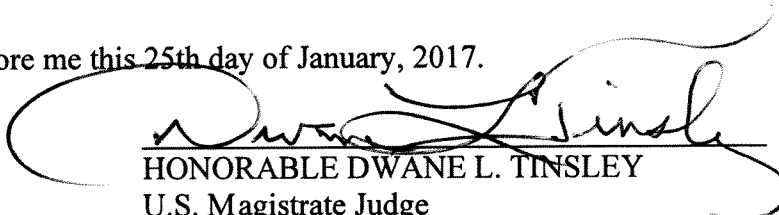
12. The West Virginia State Police Forensic Laboratory conducted a latent print analysis of the letter which revealed all three fingerprints were identified to Eric Jacob Riggs' right thumb impression.

13. The West Virginia State Police Forensic Laboratory conducted a DNA analysis of the letter sent by Riggs. The results revealed DNA was recovered from one of the fingerprints in blood and matched Eric Jacob Riggs, a convicted offender from the West Virginia State Police Forensic Laboratory DNA Database.

Dated this 25th day of January, 2017.


Cedric Jefferson
Special Agent, FBI

Sworn and subscribed before me this 25th day of January, 2017.


HONORABLE DWANE L. TINSLEY
U.S. Magistrate Judge
United States District Court
for the Southern District of West Virginia